

## **R E M A R K S - general**

By the above amendment, applicant has amended the title to emphasize the novelty of the invention.

Also, applicant has rewritten all claims to define the invention more particularly and distinctly so as to overcome the technical rejections and define the invention patentable over the cited prior art.

### **The objection to the claims 4 and 9 rejection under 112 is overcome**

The claim 4 and 9 were objected to under 112 since it was said (by Examiner) being indefinite for failing to particularly point out and distinctly claim the subject matter... The claim 4 and 9 are re-written as new claim 17 and 21. Applicant requests reconsideration and withdraws of this objection since applicant has rewritten all claims much more clearly and completely which comply with 112 and teaches how to make and use the invention in general.

## **ARGUING**

### **The objection to the specification and the claim rejection under 103**

**The novel physical features of main claim 13 produce new and unexpected results and hence are unobvious and patentable over these references under 103**

Applicant submits that the novel physical features of new main claim 13 are unobvious and hence patentable under 103 since they produce new and unexpected results over Huerga, MacLean, et al. and Benaroya, or any combination thereof:

The new and unexpected results are:

1. New use over prior art; instead of acquire a new expensive reminder pill bottle, applicant presents a new conversion reminder device that can convert old conventional pill bottle to a new reminder pill bottle.
2. Automatic, fast, easy to use, no nonsense, fool proof and truly user-friendly:
  - a. Unlike cited references of other pill reminders; applicant presents an automatic reminder device that requires no user programming or setting at all. applicant's invention of pill reminder timer is preset at mass production factory, not only can be set more accurately but eliminate the pain of user involvement of teaching, learning, practicing and frustration over new technology.
  - b. No social impacts over new technology; applicant presents a packaged reminder device with conventional pill bottle that looks identical to and feels exactly the same as the conventional pill bottles. The user wouldn't have to know the

difference of the appearance except automatically realize the function of new embed reminder.

- c. Automatic (again); User will not miss the action of activation of reminder timer; unlike the cited prior art, applicant presents a reminder device that is automatically activated by closing the lid (top or cap) of the bottle and deactivated by open the lid of bottle. There is no way for user to miss that action. The prior art of cited references are all require user to activate a switch, push a button (or buttons), or some kind of “pull-tab” and etc.
- d. It is fool proof; unlike the cited prior art with complicated LCD display, applicant presents a reminder device with simple, distinctive color of LED lights, such as RED or GREEN, which is very easy for user to see, therefore easy indicate pills has taken or not.
- e. External or wireless function is presented, applicant presents a reminder device with capabilities of activate remote alert device outside of the pill bottle. This is extremely useful for hard of hearings, blind user and remote monitoring issues.

3. More reliable and effective:

- a. No user setting the timer means no mistake could be made; applicant presents the reminder device with its timer preset at manufacturer’s factory. There is much less chance for wrong setting to remind user at wrong time to take the pill.
- b. Much less components and moving parts to fail; applicant presents the reminder device has the least amount of component to build, therefore, enhance the reliability of the reminder device.

4. Versatility; unlike cited reference of other reminders, applicant present this new pill reminder device that fits both CR (Child-Resistant) and Non-CR types of pill bottle caps.
5. Low-cost and truly affordable; applicant present this new pill reminder device that converts and retrofits existing pill bottles:
  - a. New bottle and cap are not need; use or re-use the same bottle saves time and money for both the manufacturer and the user.
  - b. No new plastic molds for reminder bottles are required; this would save tremendous time and money by eliminating a new tooling and molding process.
  - c. Simplicity helps reduces the cost; applicant present a new pill reminder device requires extremely low counts of components to build. There is no push button or pull-tabs for activate the timer, no expensive LCD display and LCD controller circuitry for indication of pill has taken or not.
  - d. The best part is: this present invention with its affordability could save tremendous life over medication non-compliance issues such as forgetfulness of drug over-dosage and skip dosage.

Applicant has narrowed main claim 13 to address to pill users for taking medication and/or food supplement contents.

Applicant's pill reminder device therefore is vastly superior to that of either Huerga, MacLean and Benaroya, or any possible combination thereof. The novel features of applicant's pill reminder device which affects these differences are, as stated, clearly recited in claim 13.

#### **The Dependent Claims Are a Fortiori**

#### **Patentable Over Huerga, MacLean and Benaroya**

New dependent claims 14 to 23 incorporate all the subject matter of claim 13 and add additional subject matter which makes them a fortiori and independently patentable over these references.

Claims 14, 15 replace old claims 2, 3 for narrowing applicant's reminder device to pill and food supplement uses and changing the words from "The said " to "Said".

Old claim 3 is canceled.

Claim 16 further adds "factory predetermined timer interval" without user setup; this function is entirely foreign to either Huerga, MacLean and Benaroya, or any possible combination thereof.

Claim 17 replaces old claim 4 for define user clearly and changing the words from "The said " to "Said" to clearly recite the claim.

Claims 18, 19, and 20 replace old claim 5, 6 and 8; changing the words from "The said " to "Said".

Old claim 7 is canceled.

Claim 21 replace old claim 9; changing the words from "The said " to "Said" and changing "such as" to "contains" for clearly recite the claim.

Claim 22 replace old claim 10; changing the words from "The said " to "Said".

Claim 23 replaces old claim 11; further add definition for using different colors, such as RED or GREEN of flashing LED to indicate pill inside the bottle has taken or not which is very useful to avoid taking pill again and causes drug Over-Dosage illness. Again, this function is entirely foreign to either Huerga, MacLean and Benaroya, or any possible combination thereof.

Old claim 12 is canceled.

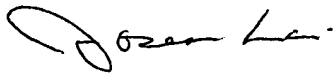
**Conclusion**

For all the reasons given above, applicant respectfully submits that the errors in the specification are corrected, all the claims rewritten comply with section '112, and the claimed distinctions are narrowed for unobvious of patentable merit under section '103 because of the new results generate a new, automatic, unexpected, more reliable, easy to convert, low-cost, user-friendly pill reminder device. Accordingly, applicant submits that this application is now in full condition for allowance, which action applicant respectfully solicits.

**Conditional request for constructive assistance**

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P '706.03(d) and '707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,



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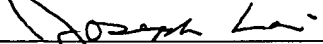
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On Tuesday, October 25, 2005

Joseph Lai

Signature 

Date 10 - 25 - 2005